

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

COURT MINUTES

BEFORE: JOAN N. ERICKSEN
U.S. District Judge
and
FRANKLIN L. NOEL
U.S. Magistrate Judge

IN RE: Bair Hugger Forced Air Warming
Devices Products Liability Litigation

)	Case No:	15-md-2666 (JNE/FLN)
)	Date:	August 18, 2016
)	Deputy:	Catherine B. Cusack
)	Court Reporter:	Maria V. Weinbeck
)	Courthouse:	Minneapolis
)	Courtroom:	12W
)	In Courtroom:	2:14 P.M. - 3:42 P.M.
)	In Chambers	4:00 P.M. - 5:10 P.M.
)	Time in Court:	1 Hour & 48 Minutes

STATUS CONFERENCE

APPEARANCES:

Plaintiffs: Ben W. Gordon, Jr., *Levin Papantonio, P.A.*; Genevieve M. Zimmerman, *Meshbeshier & Spence, Ltd.*; Jan M. Conlin, *Ciresi Conlin LLP*; David W. Hodges and Gabriel A. Assaad, *Kennedy Hodges, LLP*; Behram V. Parekh, *Kirtland and Packard, LLP*; Christopher L. Coffin, *Pendley, Baudin & Coffin, L.L.P.*; Mark Bankston, *Farrar & Ball, LLP*; Richard R. Schlueter, *Childers, Schlueter & Smith, LLC*; Jeffrey A. Bowersox, *Bowersox Law Firm, P.C.*

Defendant: Jerry W. Blackwell, Mary S. Young, Benjamin W. Hulse, and Corey L. Gordon, *Blackwell Burke, P.A.*; Bridget M. Ahmann, *Faegre Baker Daniels LLP*

Telephone

Participants: Please see attached list.

PROCEEDINGS:

- ☒ Status Conference held.
- ☒ Appearances made on the record.
- ☒ Discussed proceedings re discovery disputes. As directed in chambers, the parties are to file simultaneous briefs addressing the following discovery-related questions distilled from their arguments:
(1) Whether Defendants' process for identifying custodians whose documents must be fully searched satisfies their discovery obligations under the Federal Rules of Civil Procedure. (2) If not, what more

must Defendants do to identify the universe of custodians whose documents must be fully searched. (3) Regardless of the process, whether the custodians that have been identified by Defendants fully satisfy their discovery obligations under the Federal Rules of Civil Procedure. Each side's brief is limited to 12 pages and must be filed by Tuesday, August 30, 2016. The dispute will be heard on Thursday, September 8, 2016, at 1:30 p.m. before Judge Noel. Separately, by Friday, September 9, 2016, the parties are to submit a streamlined chart of any remaining discovery issues at that time (3-4 per side), to be discussed informally in the spirit of Fed. R. Civ. P. 16(b)(3)(B)(v).

☒ Rescheduled upcoming status conferences per the parties' agreement. The September 15, 2016 status conference is cancelled and rescheduled to September 8, 2016 at 2:30 p.m. The October 20, 2016 status conference is cancelled and rescheduled to October 13, 2016 at 9:30 a.m.

**PARTICIPATING IN
CONFERENCE CALL
8/18/2016**

NAME	FIRM NAME	
Abby Cordray	Brown & Crouppen, PC	X
Alfred Olinde, Jr	The Olinde Firm, LLC	X
Angel Dorsey	Hausfeld, LLP	X
Anna Katherine Higgins	The Whitehead Law Firm, LLC	X
Annaliese Abbey	Law Office of James S. Rogers	X
Anne Andrews	Andrew & Thornton	X
Austin Grinder	The Ruth Team	X
Bob Young	English, Lucas, Priest & Owsley, LLP	X
Brian E. Tadtman	Peterson & Associates, P.C.	X
Brian Holmes	Hurley McKenna & Mertz	x
Caroline W. Thomas	Murray Law Firm	X
Carrie Hancock	Randall J. Trost, P.C.	X
Charles T. Paglialunga	Paglialunga & Harris, PS	X
Dae Y. Lee	Bernstein Liebhard, LLP	X
Dan Haltiwanger	Richardson, Patrick, Westbrook & Brickman, LLC	X
David J. Szerlag	Pritzker Olsen, PA	X
Dean Xenick	Zelevansky Trial Attorneys	X
Don McKenna	Hare Wynn Newell & Newton	X
Elizabeth J. McLafferty	Law Office of James S. Rogers	X
Emily DeVuono	Grossman & Moore, PLLC	X
Gregory N. McEwen	McEwen Law Firm LTD	X
Jacqueline A. Olson	Zimmerman Reed, LLP	X
James Humann	Paglialunga & Harris, PS	X
James S. Rogers	Law Office of James S. Rogers	X
Jeffery L. Raizner	Raizner Slania LLP	X
Jennifer Moore	Grossman & Moore, PLLC	X
Jeremiah Mosley	Riley & Jackson, PC	X
Jessica Surber	English, Lucas, Priest & Owsley, LLP	X
John C. Thornton	Andrew & Thornton	X
Jonathan S. Mann	Pittman Dutton & Hellums	X
Joseph T. Waechter	Complex Litigation Group	X
Kaitlyn Spring Neufeld	Goza & Honnold, LLC	X
Kevin Fitzgerald	Fitzgerald Law Group, LLC	X
Laura Young	Law Office of Brian Timothy Meyers	X
Lauren Davis	Andrew & Thornton	X
Lauren E. Bronson	Newman Bronson & Wallis	X
Lila Razmara	Andrew & Thornton	X
Lynne Reed	Hare Wynn Newell & Newton	X
Melissa Mielke	Skikos Crawford Skikos & Joseph	X
Michael Goetz	Morgan & Morgan	X
Michael Mertz	Hurley McKenna & Mertz	X
Molly Condon	Hurley McKenna & Mertz	X
Pam Rodriguez	Randall J. Trost, P.C.	X

NAME	FIRM NAME	PARTICIPATING IN CONFERENCE CALL 8/18/2016
Peggy Little	Hare Wynn Newell & Newton	X
Pete Lewis	Lewis & Caplan	X
Rajesh Kanuru	KP Law, LLC	X
Randall T Trost	Randall J. Trost, P.C.	X
Rolf T. Fiebiger	Johnson Becker, PLLC	X
Sarah Delahoussaye Call	Lewis & Caplan	X
Scott Haider	Schneider, Schneider & Schneider	X
Scott Hollis	Hollis Legal Solutions, PLLC	X
Steven C. Ruth	The Ruth Team	X
Yvonne M. Flaherty	Lockridge Grindal Nauen, PLLP	X
Mark Tate	Tate Law Group	X